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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Antonio J. Grillo-Lopez

Group Art Unit: 1642

Application Serial No. 09/840,872

Examiner: Gary B. Nickol

Filed: April 25, 2001

Title: INTRATHECAL ADMINISTRATION OF RITUXIMAB FOR TREATMENT OF  
CENTRAL NERVOUS SYSTEM LYMPHOMAS

\* \* \* \* \*

REPLY PURSUANT TO 37 C.F.R. §1.111

Hon. Commissioner of Patents

Washington, D.C. 20231

Sir:

In response to the Office Action [Non-Final Rejection] dated October 23, 2002, please  
amend the above-identified application as indicated below.

In the Claims:

Please replace claim 3 with the following amended claim 3:

A1 B1 3. (Amended) The method of claim 1, wherein the CNS lymphoma is selected  
from the group consisting of: primary CNS lymphoma (PCNSL), leptomeningeal metastases  
(LM), or Hodgkin's disease with CNS involvement.

REMARKS

Status Summary

The Requirement for Restriction/Election has been made final. The prior election of  
claims 1, 3-5, and 7, has been entered, and these claims were examined. Claim 3 is objected  
to for informality. Claims 1, 3-5, and 7 are rejected under 35 U.S.C. § 112, first paragraph, as  
allegedly failing to teach methods commensurate in scope with the claims. Claims 1 and 7  
are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Maloney et al. (1997) *Blood*  
90(6):2188-2195 (Maloney). Claims 1, 5, and 7 are rejected under 35 U.S.C. § 103(a) as  
allegedly unpatentable over Maloney in view of U.S. Patent No. 5,626,845 (Yoneda). Claims  
1, 3, 5, and 7 are alternatively rejected under 35 U.S.C. § 103(a) as allegedly unpatentable

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Inventor(s): Antonio J. Grillo-Lopez  
 Appln. No.: 09/ 840,872  
 Series Code ↑ Serial No. ↑

Group Art Unit 1642  
 Examiner: G. Nickol  
 Atty. Dkt. P 0280609  
 M# Client Ref

Filed: April 25, 2001  
 Hon. Commissioner of Patents  
 Washington, D.C. 20231

Title: Intrathecal Administration of Rituximab  
 for Treatment of Central Nervous  
 System Lymphomas

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Date: February 24, 2003

## REPLY/AMENDMENT/LETTER

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

## FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim A. <input checked="" type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input type="checkbox"/> made previously For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims		**minus	0	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims		***minus	0	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) ..... add					+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: January 23, 2003		<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =	+ \$110			115/215
		(2 mos)	\$410/\$205 =				116/216
		(3 mos)	\$930/\$465 =				117/217
		(4 mos)	\$1,450/\$725 =				118/218
		(5 mos)	\$1,970/\$985 =				128/228
7. Enter any previous extension fee paid since above original due date and subtract					- \$0		
8. Extension Fee					+ \$110		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....					+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), ..... add					+ \$180	+ \$0	126
or if Rule 97(d) Request ..... add					+ \$180		126
11. After-Final Request Fee per rules 129(a) and 17(r) .....					+ \$750/370	+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b).....					x \$750/375 ea	+ \$0	149/249
13. Request for Continued Examination (RCE) .....					+ \$750/375	+ \$0	1179/1279
14. Petition fee for .....					+ \$0		
15. TOTAL FEE =					<b>\$110</b>		
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".					PLEASE CHARGE OUR DEP. ACCT		
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.							
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.							

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Our Deposit Account No. 03-3975)

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(Our Order No. 037003 0280609  
C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
 Intellectual Property Group

P.O. Box 10500  
 McLean, VA 22102  
 Tel: (703) 905-2000

By Atty: Robin L. Teskin  
 Sig:

Reg. No. 35,030

Fax: (703) 905-2500  
 Tel: (703) 905-2200

Atty/Sec: RLT/RLG

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

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